

**CITY OF HORSESHOE BAY**

**ORDINANCE NO. ORD 080617D**

**ZONING ORDINANCE AMENDMENT DELETING SECTION II(H) CERTIFICATES OF OCCUPANCY FROM ORDINANCE 07-09-18E ZONING ORDINANCE**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY AMENDING ORDINANCE NUMBER 07-09-18E “ZONING ORDINANCE” BY DELETING SECTION II(H) CERTIFICATES OF OCCUPANCY AND COMPLIANCE IN ITS ENTIRETY; PROVIDING FOR AN EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING**

**WHEREAS**, Ordinance No. 07-09-18E, the City of Horseshoe Bay’s Zoning Ordinance, includes Section II(H) regarding Certificates of Occupancy and Compliance; and

**WHEREAS**, Certificates of Occupancy are primarily a matter relating to Building Permits; and

**WHEREAS**, a Building Permit Ordinance Amendment relating to Certificates of Occupancy is under consideration by the City Council; and

**WHEREAS**, the City Council of Horseshoe Bay finds that amending the Zoning Ordinance to delete such regulations and adopt new regulations under the Building Permit Ordinance is in the best interests of the City; and

**WHEREAS**, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Horseshoe Bay to delete Section II(H) of the Zoning Ordinance in its entirety to avoid unnecessary duplication;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY:**

**I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**II. DELETION OF SECTION II (H) CERTIFICATES OF OCCUPANCY AND COMPLIANCE**

Section II (H) “Certificates of Occupancy and Compliance” of Zoning Ordinance No. 07-09-18E is hereby deleted in its entirety.

### **III. EFFECTIVE DATE**

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

### **IV. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

### **V. SEVERABILITY**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

### **VI. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**ADOPTED AND APPROVED** on this 17th day of June, 2008 by a vote of the City Council of the City of Horseshoe Bay, Texas.

**CITY OF HORSESHOE BAY, TEXAS**

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**/S/**

**Robert W. Lambert, Mayor**

**Attest:**

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**/S/**

**Teresa L. Moore, City Secretary**